

REMARKS

This paper is responsive to any paper(s) indicated above, and is responsive in any other manner indicated below.

PENDING CLAIMS

Claims 14-21 and 23-33 were pending, under consideration and subjected to examination in the Office Action. Appropriate claims have been amended, canceled and/or added (without prejudice or disclaimer) in order to adjust a clarity and/or focus of Applicant's claimed invention. That is, such changes are unrelated to any prior art or scope adjustment and are simply refocused claims in which Applicant is presently interested. At entry of this paper, Claims 14-21 and 23-33 will be pending for further consideration and examination in the application.

CLAIM OBJECTIONS OBIATED VIA CLAIM AMENDMENT

Claims 14, 16, 18, 19, 21, 23, 26 and 31 have been objected to because of the Office Action concerns listed within the "Claim Objections" section beginning on page 2 of the Office Action. As amendments have been made where appropriate in order to address each of the Office Action listed concerns, reconsideration and withdrawal of the claim objection are respectfully requested. That is, the Amendments suggested within the Office Action have been adopted by Applicant. The Examiner is respectfully thanked for such kind guidance.

REWRITTEN ALLOWABLE CLAIM(S)

Claims 14, 16-21, 23, 25, 27 and 29-33 have been indicated as being allowable, or allowable if rewritten, as indicated within the "Allowable Subject Matter" section on page 4 of the Office Action, and at least appropriate base ones of "allowable if rewritten" claims have been so rewritten. Further, ones of such claims have been minorly amended (e.g., to correct spelling errors) within this paper in a manner believed not to affect an allowability thereof. Reconsideration and renewal of the allowance are respectfully requested. Applicant and the undersigned respectfully thank the Examiner for such indication of allowable subject matter.

NON-REWRITTEN ALLOWABLE CLAIMS

Although claims 26 and 28 have been indicated as being allowable if rewritten, as indicated within the section numbered "5" on page 5 of the Office Action, rewriting has not yet been effected as it is believed that any base and intervening claims will be allowed responsive to this paper. Applicant respectfully reserves the right to rewrite the potentially allowable claims at a later time if necessary, and Applicant and the undersigned respectfully thank the Examiner for such indication of potentially allowable subject matter.

REJECTION UNDER 35 USC '102 - TRAVERSED

The 35 USC '102 rejection of claims 15 and 24 as being anticipated by Tomiyama et al. (U.S. Patent 5,777,969) is respectfully traversed. More particularly, Applicant respectfully notes that the present application was filed **26 April 1995**, and still further, has 120-priority from ancestor application 07/958,162 filed

08 October 1992 and 119-priority from a **11 October 1991** Japanese application. In contrast, the presently-applied Tomiyama et al. reference has a later filing date of **06 June 1996**. Based upon the foregoing, it is respectfully submitted that Tomiyama et al. is not valid prior art, and thus, reconsideration and withdrawal of such rejection is respectfully requested.

The above statements should not be taken as an indication or admission that the art is substantively otherwise relevant, but is merely use of a procedural approach to preclude art. Further, at this point, it is respectfully submitted as a reminder that, if new art is now cited against any of Applicant's unamended claims, then it would not be proper to make a next action final.

ALL CLAIMS IN CONDITION FOR ALLOWANCE

In view of the fact that appropriate ones of the claims have been amended in order to overcome the minor objection concerns with respect to such claims, and in view of the fact that the 102-applied reference has been shown not to be a valid prior art reference, it is respectfully submitted that all presently pending claims are now in condition for allowance. A Notice of Allowance with respect to the present application is respectfully requested.

EXAMINER INVITED TO TELEPHONE

The Examiner is herein invited to telephone the undersigned attorneys at the local Washington, D.C. area telephone number of 703/312-6600 for discussing any Examiner's Amendments or other suggested actions for accelerating prosecution and moving the present application to allowance.

RESERVATION OF RIGHTS

It is respectfully submitted that any and all claim amendments and/or cancellations submitted within this paper and throughout prosecution of the present application are without prejudice or disclaimer. That is, any above statements, or any present amendment or cancellation of claims (all made without prejudice or disclaimer), should not be taken as an indication or admission that any objection/rejection was valid, or as a disclaimer of any scope or subject matter. Applicant respectfully reserves all rights to file subsequent related application(s) (including reissue applications) directed to any/all previously claimed limitations/features which have been subsequently amended or cancelled, or to any/all limitations/features not yet claimed, i.e., Applicant continues (indefinitely) to maintain no intention or desire to dedicate or surrender any limitations/features of subject matter of the present application to the public.

CONCLUSION

In view of the foregoing amendments and remarks, Applicant respectfully submits that the claims listed above as presently being under consideration in the application are now in condition for allowance.

To the extent necessary, Applicant petitions for an extension of time under 37 CFR '1.136. Authorization is herein given to charge any shortage in the fees, including extension of time fees and excess claim fees, to Deposit Account No. 01-2135 (Case No. 500.31617CX1) and please credit any excess fees to such deposit account.

Based upon all of the foregoing, allowance of all presently-pending claims is respectfully requested.

Respectfully submitted,

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A handwritten signature in cursive script, appearing to read "Paul J. Skwierawski".

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